



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

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Florida House of Representatives Voted to Reform the Healthcare Industry

The Florida House passed six healthcare bills that reform critical aspects of the healthcare industry. The bills now head to the Senate for their consideration.

CS/CS/HB 1243 requires hospital acquisitions of physician practices to be reviewed by the Attorney General's office before they take place. The bill requires all hospitals intending to acquire a physician practice to report the acquisition to the Attorney General at least 90 days before the acquisition is complete. The bill also allows the Attorney General's Anti-Trust Division to review this information for any anticompetitive behavior and act accordingly to prevent monopolies. The bill combats hospital mergers and acquisitions that can result in higher healthcare spending.

CS/CS/HB 23 authorizes all types of Florida-licensed health care professionals to use telehealth to deliver health care services within their respective scopes of practice. The bill also authorizes out-of-state health care professionals to use telehealth to deliver health care services to Florida patients if they register with the Department of Health or the applicable board. The bill establishes standards of practice for services provided using telehealth, including patient examination, record-keeping, and a prohibition on prescribing controlled substances for chronic non-malignant pain. Finally, the bill incentivizes coverage of services provided using telehealth by authorizing a tax credit for insurers and HMOs that reimburse for services provided via telehealth.

CS/HB 843 requires hospitals to notify primary care or specialty physicians when their patients are admitted, and requires hospital physicians to consult those doctors on the plan of care, if requested by the patient. The bill closes gaps in provider communication and promotes continuity of care from the inpatient to outpatient setting. A patient's own physician has a comprehensive knowledge of the patient's health history that can be vital during hospital admissions.

CS/HB 831 requires all prescriptions to be electronically transmitted by January 1, 2021. Electronic prescribing will prevent fraud, reduce abuse, and create an effective mode of access for Floridians to receive their healthcare.

CS/HB 111 authorizes pharmacists to manage chronic health conditions patients, if the pharmacist meets certain criteria and enters into a collaborative pharmacy practice agreement with the patient's physician. The bill also establishes standards of practice for pharmacists providing these services, including, a prohibition on prescribing controlled substances. Additionally, the bill authorizes a pharmacist to test or screen for, and treat, minor non-chronic health conditions if the pharmacist meets and maintains certain qualifications. The Board of Pharmacy must develop a list of non-controlled substances a pharmacist may prescribe to treat minor non-chronic conditions. The bill also authorizes pharmacists to test for and treat



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flu and strep infections, under a physician protocol, if they meet certain criteria, including education, proof of liability insurance, and employer approval.

CS/HB 19 authorizes statewide prescription drug importation programs that would give Floridians access to safe, effective, FDA-approved drugs from countries recognized for adhering to good manufacturing practices. The bill also outlines the importation process, the safety standards that must be adhered to, drug distribution requirements, and measures that may be taken against those who violate any program requirements. The bill increases patient choices and allows safe and effective drugs from other countries to be sold in Florida.

Florida House Passed Bill to Ease Occupational Licensing Regulations

The Florida House passed **HB 3**, which preempts a local government's ability to enact occupational licensing schemes.

HB 3 protects individuals from burdensome occupational licensing laws that establish barriers to entry. The bill preserves exclusive authority for the state to award occupational licenses in order to enable professionals to readily obtain work anywhere in the state. The bill specifically prohibits local licensure of certain construction-related professionals that are not required to have a statewide license, such as painters, flooring and tile installers, and cabinetmakers. This will bring down the costs of services and allow more workers to seek employment in their chosen field. However, the bill allows local governments to continue to license construction professionals and journeymen that fall within certain scopes of practice.

The bill now heads to the Senate for their consideration.

Florida House Passed Higher Education Transparency Bill

The Florida House passed legislation to increase transparency and accountability for Florida's higher education institutions.

Transparency and accountability are two principles required to maintain the public's trust. Currently, there are some controls in place to ensure that institutions are accountable and responsible stewards of state funds, but there are several areas that need strengthening.

HB 7051 makes colleges and universities more accountable to students and the taxpayers by adding requirements for institutions to correct audit findings and increasing oversight of state higher education institutions' direct support organizations.

The bill requires conformity between the 1-year, 5-year and 10-year planning facilities documents. Boards of trustees will also be more involved in planning funding sources for all facilities. The bill also increases the Board of Governors oversight of long-term facilities planning.

The bill now heads to the Senate for their consideration.



House Passed Bill that Will Increase Voter Participation

The Florida House passed **HB 5**, which concerns local government discretionary surtaxes.

The bill requires a referendum to adopt or amend a local discretionary sales surtax be held at a general election and requires approval of the referendum by two-thirds of the qualified electors voting on the ballot question. The bill also revises the process for triggering the performance audit of the government entity seeking the surtax by providing that, upon adoption of an ordinance by a local government to hold a discretionary sales surtax referendum, the local government must notify the Office of Program Policy Analysis and Government Accountability (OPPAGA). Lastly, the bill establishes a process for notifying OPPAGA of the need for a performance audit when a proposal to adopt a discretionary sales surtax is by initiative. Failure of a local government or an initiative sponsor to comply with these requirements renders void any referendum held on the proposed surtax.

The bill now heads to the Senate for their consideration.

The Florida House Passed Assignment of Benefits

The Florida House passed **CS/CS/HB 7065** relating to assignment of benefits.

An assignment of benefits (AOB) is a legal tool that allows a contractor, repair person, or other vendor to “stand in the shoes” of a property owner and receive the benefits under a property insurance policy for repairs to the covered property. For example, when homeowners experience water damage and contact a repair person for assistance, the repair person may have the homeowner execute an AOB so work can begin immediately and the repair person can seek payment directly from the insurance company. Since 2006, the number of lawsuits involving AOBs has skyrocketed, generally resulting in higher payouts and litigation costs. These increased costs are ultimately paid for by consumers as higher insurance premiums. The bill addresses the abuses involving AOBs and aims to protect consumers from the impact of increased litigation costs.

The bill now heads to the Senate for their consideration.

Florida House Passed Bill to End Public Tax Dollars Going Towards Funding for Stadiums

The Florida House passed **HB 791**, which ends the practice of subsidizing professional sports franchise facilities on public lands.

In Florida, 80% of professional sports franchises are located on public land. The bill requires any sale or lease of public lands and facilities to professional sports franchises to be made at fair market value. Also, Local Tourist Development Tax or Convention Development Tax funds cannot be used to service bonds to finance construction or renovation of professional sports franchise facilities. Floridians take great pride in their sports teams, but they should not have to see their hard-earned tax dollars fund stadium construction or renovations for professional sports franchises. Such subsidies amount to hundreds of



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millions of dollars. These deals have been financial disasters for taxpayers; for example, public dollars have financed as much as 125% of total stadium costs in four Florida cities alone.

The bill now heads to the Senate for their consideration.

Intellectual Diversity in Higher Education Bill Passed Last House Committee

The Education Committee passed **HB 839**, which addresses intellectual diversity in higher education institutions. The bill also makes changes to state university performance funding and direct support organizations.

HB 839 requires the Board of Governors and the State Board of Education to annually report on the intellectual freedom and viewpoint diversity at each institution to ensure students and faculty will feel safe on campus to express their viewpoints.

Currently, the state university performance funding metric for measuring access focuses on the admission of Pell grant students. The bill modifies this metric to ensure universities are encouraged to not only admit Pell grant students, but also make sure they graduate. Additionally, the bill establishes the “2+2” targeted pathway program to improve student retention and on-time graduation.

The bill requires the Commissioner of Education to submit recommendations to the State Board of Education and the Legislature for the most efficient process to achieve a complete performance-based model for Florida College System institutions.

The bill also increases accountability for the state universities’ direct-support organizations (DSO) by requiring that restrictions on funding transfers also apply to DSO subsidiaries and affiliates.

Florida House of Representatives Voted for Local Government Fiscal Transparency

The Florida House passed **CS/CS/HB 15** to increase local government fiscal transparency.

The bill focuses on helping citizens gain access to important information so they can be more engaged in government decisions. Some of the bill’s provisions include: improving access to voting records related to local option taxes and debt issuances; enhancing access to tax history and property tax information; expanding public notice requirements; and improving local government reporting requirements for economic development incentives. The bill also aims to ensure local governments are responsible, transparent, and accountable with taxpayer dollars, which will help give Floridians confidence in their government.

The bill now heads to the Senate for their consideration.



House Passed Legislation to Increase Fiscal Responsibility in Government

The Florida House passed **HB 641**, which provides that the board of supervisors of a community development district must authorize general obligation bonds, benefit bonds, or revenue bonds by a two-thirds vote of all the board members. Currently the board must approve such resolutions by a simple majority vote of its board members.

The bill now heads to the Senate for their consideration.

Florida House Health & Human Services Committee Voted to Advance the Healthcare Marketplace

The Florida House Health & Human Services Committee passed four healthcare bills that improve critical aspects of the healthcare marketplace.

CS/HB 821 allows advanced practice registered nurses and physician assistants to practice without physician supervision, if they meet certain criteria. The bill responsibly allows nurses and physician assistants to practice to the greatest and safest extent of their training, which will increase access to care.

HB 955 directs the Agency for Health Care Administration to seek federal approval to require able-bodied adults in the Medicaid program to work or be in school – consistent with the requirements for federal cash assistance programs. The bill creates a reasonable eligibility requirement for Medicaid to incentivize employment.

CS/HB 997 expands the availability of association and short-term health insurance. The bill allows Floridians to take advantage of the new federal regulations on associated health plans and short-term health plans. Increased access to short-term health plans gives consumers a more affordable alternative to comprehensive coverage. These plans represent a legitimate alternative for many individuals.

HB 999 empowers patients and eases the burden of the cost of medical bills on consumers. The bill helps patients manage their healthcare costs in three ways: requires facilities to provide binding cost estimates, with exceptions; requires facilities to establish an internal grievance process to contest charges; increases consumer protection in debt collection proceedings, including asset protection and a prohibition on taking collection action until all insurance coverage applicable to the patient has been exhausted.

HB 1035 requires health care providers to give patients their records the way they want to receive them – including access to the provider’s electronic medical record through a patient portal, or submitting the records to the patient’s own electronic Personal Health Record – if the provider uses an electronic health records system. The bill also standardizes the timeframes for providers to produce records or allow inspection of records, and limits the patient cost for reproducing records. The bill helps patients to be more engaged in their treatment by making more information available in easy-to-use formats.



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Florida House Ways & Means Committee Voted for the 2019 Tax Relief Package

The Florida House Ways & Means Committee passed a committee bill that will reduce taxes for Floridians. The Committee passed several tax reductions and other tax-related modifications designed to directly impact both families and businesses. Below are some highlights of the proposals:

- Helps make education more affordable with a three-day **Back-to-School Tax Holiday**.
- Reduces the **Business Rent Tax** for businesses.
- Helps prepare Florida families and communities for potential disasters with a seven-day **Disaster Preparedness Tax Holiday**.
- Clarifies and addresses **local property tax** issues to provide clarity and accountability to Floridians.

The Florida House Judiciary Committee Passed Criminal Justice Reform

The House Judiciary Committee passed a comprehensive committee bill in an effort to reform the criminal justice system.

Some of the provisions include:

- Allowing a court to sentence a defendant to **administrative probation**, a form of nonreporting supervision that is available to low-risk offenders currently only by transfer of the Department of Corrections (DOC), and to transfer a defendant to administrative probation upon successful completion of half their probationary term.
- Authorizing each judicial circuit to create a **community court**, a type of problem solving court that addresses misdemeanor crimes affecting a particular community.
- Reforming probation violations and standardizing a system for alternative sanctioning to respond to technical probation violations.
- Requiring each clerk of court to create a **Driver License Reinstatement Days** program to facilitate reinstatement for those who have had their license suspended or revoked.
- Expanding **reentry services** for recently released inmates by providing greater job training and career planning opportunities for inmates and authorizing DOC to expand the use of a job assignment credentialing and industry certifications.
- Requiring DOC to develop a Prison Entrepreneurship Program and adopt procedures for inmate admission.
- Increasing the threshold values for specified theft offenses including petit theft, retail theft, and grand theft.
- Expanding eligibility for veterans' treatment programs to individuals who are current or former US Department of Defense contractors or military members of a foreign allied country.
- Authorizing a court to sentence a person meeting all other criteria as a youthful offender if he or she was 21 or younger at the time of the offense, regardless of age at the time of sentence.
- Repealing all mandatory direct file provisions and allowing, but not requiring, a state attorney to direct file an information against a child meeting discretionary direct file criteria.



Florida House Appropriations Committee Voted to Limit Marijuana Potency

The Florida House Appropriations Committee passed **HB 7117**, which takes necessary action to ensure orderly and safe administration of medical marijuana.

The bill sets out potency and supply limits for the medical use of marijuana, which will apply to flower (for smoking and vaping) and to edibles, but not to other marijuana products. The bill also limits children to low-THC cannabis, with an exception: a qualified physician may certify a patient under the age of 18 for high THC marijuana if that physician determines that it is the most effective treatment for the patient, and a second physician who is a board-certified pediatrician concurs. The bill also authorizes DOH to test all forms of marijuana under the program, to ensure safety and potency. Additionally, the bill waives the identification card fee for qualified patients who are veterans.

House Judiciary Committee Passed Accuracy in Damages

The Judiciary Committee passed **CS/CS/HB 17** relating to accuracy in damages for tort claims. Tort law aims to provide compensation to individuals, groups, or businesses for unjust harm caused by others. Over the past several years, courts have allowed tort claim payouts for medical expenses to surpass the actual amount paid. The increase in payouts for medical expenses has strongly influenced the insurance market. **CS/CS/HB 17** helps to ensure that medical expenses are awarded for the actual amount that is paid and not the amount that is billed.

State Affairs Committee Approved Local Government Financial Reporting

The State Affairs Committee passed **HB 861**, which requires local governments to submit certain budget information to the Office of Economic and Demographic Research (EDR) in “real time.” The bill also requires the county and municipal tentative budgets and adopted final budgets to remain online for a specified period of time. **HB 861** will result in local governments reporting useful financial metrics to EDR that will show trends in government spending and debt and allow Floridians to more easily compare the budget and spending information for their local government with others.

School Choice Bill Headed to Floor

The Education Committee passed a bill that enhances school choice to provide a quality education to all students.

HB 7095 allows Schools of Hope to open in “Florida Opportunity Zones” to provide quality educational options for students in low-income communities.

The bill expands the traditional public school Schools of Hope grant program to reach more students and expands the list of example wraparound services to include health services, drug-prevention programs, and food and clothing banks. School districts may also contract with a nonprofit organization to provide wraparound services as part of an integrated student support services model.



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The bill also allows a student to convert a Hope Scholarship to a transportation scholarship to a public school outside of their school district, increases transparency by requiring school districts to report on controlled open enrollment applications, and strengthens background-screening requirements for private school personnel.